


EXHIBIT A

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UTILITY SERIAL NUMBER 514				PATENT DATE FEB 04 2003		PATENT NUMBER 515009	
SERIAL NUMBER 514		FILING DATE 02/15/95		CLASS 514		SUBCLASS 514	
GROUP ART UNIT 101		EXAMINER 71248		J.B. Reno, Brier WA		JBH 10-31-02	
THIS PATENT IS A COPY OF U.S. PATENT 5,658,212/20/93 ABN & R24, 840 WHICH IS A COPY OF U.S. PATENT 5,658,212/20/93 ABN & R24, 840							
NOTE-DISCLAIMER THE TERM OF THIS PATENT SHALL NOT EXTEND BEYOND THE EXPIRATION DATE OF PAT. NO.							
NOTE-DISCLAIMER THE TERMINAL 13 MONTHS OF THIS PATENT HAS BEEN DISCLAIMED							
FOREIGN PRIORITY CLAIMED 06/20/95 ***** SMALL ENTITY *****							
Foreign priority claimed 35 USC 119 conditions met		<input type="checkbox"/> yes <input checked="" type="checkbox"/> no		AS FILED YES		STATE OR COUNTRY 19	
SHEETS DRWG. 25		TOTAL CLAIMS 25		INDEP. CLAIMS 25		FILING FEE RECEIVED \$450.00	
ATTORNEY'S DOCKET NO. 295,00785		Verifier's Initials 11-26-02		19		4-28-00	
U.S. DEPT. OF COMM./PAT. & TM—PTO-436A (Rev.12-94)							
ARTS OF APPLICATION LED SEPARATELY		OFFICE OF ALLOWANCE MAILED 2/24/00		Assistant Examiner SAMUEL BARTS PRIMARY EXAMINER GROUP 1200		CLAIMS ALLOWED Total Claims 72	
ISSUE FEE Amount Due \$1,210.00		Date Paid 6/1/00		DRAWING Sheets Drwg. 19		Figs. Drwg. 27	
U.S. Department of Commerce Patent and Trademark Office DISCLAIMER LABEL Application No. 081389712		Primary Examiner PREPARED FOR ISSUE		Print Fig. N/A		ISSUE BATCH NUMBER I61	
A terminal disclaimer has been entered and recorded under 35 U.S.C. 253 in this file. DO NOT DESTROY							
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Form PTO-436A (Rev. 8/92)

(FACE)

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Form 1449*	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		
Applicant: L.L. Kunz et al.		
Filing Date: April 15, 1995		Group: 1802-1621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SB	4,093,709	06/06/78	Choi et al.	424	19	01/28/85
	4,485,096	11/27/84	Bell	424	95	05/26/82
	4,485,097	11/27/84	Bell	424	95	05/25/83
	4,512,762	04/23/85	Spears	604	21	11/23/82
	4,555,402	11/26/85	Matsuda et al.	424	122	08/10/84
	4,675,189	06/23/87	Kent et al.	424	490	02/08/85
	4,744,981	05/17/88	Pavanassivam	424	85	10/17/85
	4,824,436	04/25/89	Wolinsky	604	53	04/21/87
SB	4,835,002	05/30/89	Wolf et al.	426	590	07/10/87

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	0 297 946	01/04/89	EPO	X	X		
	WO88/10259	12/29/88	PCT				
	0 365 863	05/02/90	EPO				
	WO90/01969	03/08/90	PCT				
SB	WO90/13293	11/15/90	PCT				

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SB	Atrwood et al., "A Light-Scattering Study on Oil-in-Water Microemulsions", <i>Int'l J. Pharm.</i> , 22, 165-171 (1989)
	Barnburg, "Biological and biochemical actions of trichothecene mycotoxins" in <i>Progress in Molecular and Subcellular Biology</i> , Vol. 8; F.E. Hahn et al., Eds.; Springer-Verlag: Berlin; pp. 41-110 (1983)
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SB	Benita et al., "Submicron Emulsions as Colloidal Drug Carriers for Intravenous Administration: Comprehensive Physicochemical Characterization", <i>Journal of Pharmaceutical Sciences</i> , 82, (November 1993)
Examiner	Date Considered 11-15-96

* Substitute Disclosure Statement Form (PTO-1449)

** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 2 of 17

Form 1449* INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
	Applicant: L.L. Kunz et al.	
	Filing Date: April 15, 1995	Group: 1803-621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SB	4,867,973	09/19/89	Goers et al.	424	85.91	09/13/84
	4,879,225	11/07/89	Morgan, Jr. et al.	435	68	03/11/87
	4,897,255	01/30/90	Fritzberg et al.	424	1.1	06/19/88
SB	4,906,452	03/06/90	Sivam	424	10	04/28/88

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	0 411 893	02/06/91	EPO				
	0 451 202	10/16/91	EPO				
	WO91/15219	10/17/91	PCT				
	WO92/18546	10/29/92	PCT				
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SB	Bier et al., "Arterial Remodeling: Importance in Primary Versus Restenotic Lesions", <i>JACC</i> , p. 139A, Abstract No. 875-96 (February 1994)
1	Bogyo et al., "Cytochalasin-B-induced immunosuppression of murine allogeneic anti-tumor response and the effect of recombinant human interleukin-2", <i>Cancer Immunol Immunother</i> , 32, 400-405 (1991)
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	Chaldakov et al., "Cyclic AMP-and cytochalasin B-induced arborization in cultured aortic smooth muscle cells: its cytopharmacological characterization", <i>Cell Tissue Res.</i> , 255, 435-442 (1989)
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SB	Clowes et al., "Kinetics of Cellular Proliferation after Arterial Injury - I. Smooth Muscle Growth in the Absence of Endothelium", <i>Laboratory Investigation</i> , 49, 327-333 (1983)
Examiner	Date Considered
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*Substitute Disclosure Statement Form (10/90) (12/90)

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 17

Form 1449*	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT		
BY APPLICANT	Applicant: L.L. Kunz et al.	
(Use several sheets if necessary)	Filing Date: April 15, 1995	Group: 1809-162

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SB	4,929,602	05/29/90	Harker et al.	514	18	11/20/88
	4,935,415	06/19/90	Nakano et al.	514	211	03/20/87
	4,962,091	10/09/90	Eppstein et al.	514	2	05/23/86
	4,968,350	11/06/90	Bindschadler et al.	106	170	04/01/88
	5,015,578	05/14/91	Schroeder et al.	435	119	02/20/90
SB	5,026,537	06/25/91	Daddona et al.	424	1.1	04/06/89

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO92/21363	12/10/92	PCT				
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SB	Clowes et al., "Kinetics of Cellular Proliferation after Arterial Injury - III. Endothelium and Smooth Muscle Growth in Chronically Denuded Vessels", <i>Laboratory Investigation</i> , 54, 295-303 (1986)
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SB	Crissman et al., "Transformed mammalian cells are deficient in kinase-mediated control of progression through the G ₁ phase of the cell cycle", <i>PNAS USA</i> , 88, 7580-7584 (September 1991)
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* Substitute Disclosure Statement Form (FD-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449*	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		
Applicant: L.L. Kunz et al.		
Filing Date: April 15, 1995		Group: 1863-162

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date
SB	5,032,679	07/16/91	Brandley et al.	536	21	08/31/89
	5,043,335	08/27/91	Kleinschroth et al.	514	211	02/23/90
	5,049,132	09/17/91	Shaffer et al.	604	101	01/02/90
SB	5,053,033	10/01/91	Clarke	606	3	10/10/90

FOREIGN PATENT DOCUMENTS							
**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	0 577 215	01/05/94	EPO				
	WO94/04164	03/03/94	PCT				
	WO94/04178	03/03/94	PCT				
SB	0 588 518	03/23/94	EPO				

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SB	Currier, "Restenosis After Percutaneous Transluminal Coronary Angioplasty: Have We Been Aiming at the Wrong Target?", <i>JACC</i> , 25, 516-20 (February 1995)
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SB	Friberg et al., "Microemulsions and Solubilization by Nonionic Surfactants", <i>Prog. Colloid and Polymer Sci.</i> , 56, 16-20 (1975)
Examiner	SA B6
Date Considered	11-15-98

* Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449*	Atty. Docket No.: 295,007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT	Applicant: L.L. Kunz et al.	
MAIL ROOM APPLICANT (Use several sheets if necessary)	Filing Date: April 15, 1995	Group: 1402 1621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Applicable
5/3	5,066,789	11/19/91	Srinivasan et al.	530	388	08/29/89
	5,073,633	12/17/91	Schroeder et al.	540	545	11/05/90
	5,093,330	03/03/92	Caravatti et al.	514	211	03/21/91
	5,102,402	04/07/92	Dror et al.	604	265	01/04/91
	5,112,305	05/12/92	Barath et al.	604	96	10/16/90
5/3	5,114,719	05/19/92	Sabel et al.	424	422	09/14/89

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
5/3	WO94/07529	04/14/94	PCT				
	WO94/08604	04/28/94	PCT				
	WO94/08605	04/28/94	PCT				
5/3	0 606 613	07/20/94	EPO				

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5/3	Fulop et al., "Age-Dependent Variations of Intralysosomal Enzyme Release from Human PMN Leukocytes under Various Stimuli", <i>Immunobiol.</i> 171, 302-310 (1986)
	Garrigues et al., "The Melanoma Proteoglycan: Restricted Expression on Microspikes, a Specific Microdomain of the Cell Surface", <i>J. Cell. Biol.</i> 103, 1699-1710 (November 1986)
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	Gibbons et al., "The emerging concept of vascular remodeling", <i>New Engl. J. of Medicine</i> , 330, 1431-1437 (1994)
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Examiner	Date Considered
	11-15-91

* Substitute Disclosure Statement Form (PTO-1449)

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Form 1449*	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		
Applicant: L.L. Kunz et al.		Filing Date: April 15, 1995
Group: 1286-1681		

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SK	5,116,864	05/26/92	March et al.	514	455	04/09/91
	5,140,012	08/18/92	McGovern et al.	514	91	05/31/90
	5,166,143	11/24/92	Ondetti et al.	514	89	06/13/91
	5,171,217	12/15/92	March et al.	604	53	02/28/91
SK	5,180,366	01/19/93	Woods	604	96	10/10/90

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SK	WO94/15589	07/21/94	PCT				
	WO94/15590	07/21/94	PCT				
SK	WO94/15646	07/21/94	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SK	Grainger et al., "A large accumulation of non-muscle myosin occurs at first entry into M phase in rat vascular smooth-muscle cells", <i>Biochem J.</i> 272, 145-151 (1991)
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	Grainger et al., "Activation of transforming growth factor- β is inhibited in transgenic apolipoprotein(a) mice", <i>Nature</i> , 370, 460-462 (August 11, 1994)
	Grainger et al., "Active TGF- β is Depressed Five-Fold in Triple Vessel Disease Patients Compared with Syndrome X Patients", <i>J. Cell. Biochem.</i> 18A, 267, Abstract No. E111 (1994)
SK	Grainger et al., "Activation of transforming growth factor- β is inhibited by apolipoprotein (a) in vivo", <i>Circulation</i> , 90, p. I-623, Abstract No. 3353 (October 1994)
Examiner	SK BJA
Date Considered	11-15-96

*Substitute Disclosure Statement Form (PTO-1449)

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Sheet 7 of 17

Form 1449*	Attorney Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		
Applicant: L.L. Kunz et al.		Filing Date: April 15, 1995
		Group: 1003 1621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
JB	5,185,260	02/09/93	Crissman et al.	435	244	08/29/91
	5,208,019	05/04/93	Hansson et al.	424	85.5	09/27/89
	5,213,576	05/25/93	Abiuso et al.	604	96	06/11/91
	5,213,580	05/25/93	Slepian et al.	623	1	03/25/92
	5,216,024	06/01/93	Markaverich et al.	514	543	07/15/88
	5,226,430	07/13/93	Spears et al.	128	898	05/24/91
	5,232,911	08/03/93	Vidal	514	12	07/23/91
	5,238,950	08/24/93	Clader et al.	514	360	12/17/91

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
JB	WO94/16706	08/04/94	PCT	[Signature]	[Signature]		
	WO94/17786	08/18/94	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

JB	Grainger et al., "Active Transforming Growth Factor- β is Depressed in Patients with Three Vessel Coronary Artery Disease", <i>Circulation</i> , 90, p. 1-512, Abstract No. 2754 (October 1994)
	Grainger et al., "Mitogens for adult rat aortic vascular smooth muscle cells in serum-free primary culture", <i>Cardiovascular Res.</i> , 28, 1238-1242 (1994)
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	Grainger et al., "Active and acid activatable TGF- β in human sera, platelets and plasma", <i>Clin. Chim. Acta.</i> , 235, 11-31 (1995)
	Grainger et al., "Transforming growth factor-beta: the key to understanding lipoprotein(a)?", <i>Current Opinion in Lipidology</i> , 6, 81-85 (1995)
	Gref et al., "Biodegradable Long-Circulating Polymeric Nanoshpheres", <i>Science</i> , 263, 1600-1603 (March 18, 1994)
JB	Hanke et al., "Inhibition of Cellular Proliferation After Experimental Balloon Angioplasty by Low-Molecular-Weight Heparin", <i>Circulation</i> , 85, 1548-1556 (April 1992)
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[Signature]	11-15-96

* Substitute Disclosure Statement Form (PTO-1449)

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Sheet 8 of 17

Form 1449*	INFORMATION DISCLOSURE STATEMENT		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
BY APPLICANT			Applicant: L.L. Kunz et al.	
(Use several sheets if necessary)			Filing Date: April 15, 1995	Group: 1403 162

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SA	5,242,397	09/07/93	Barath et al.	604	96	08/02/92
	5,248,764	09/28/93	Fianagan et al.	530	324	02/27/92
	5,260,224	11/09/93	Stossel et al.	436	503	10/10/91
	5,268,358	12/07/93	Fretto	514	12	05/06/91
SB	5,270,047	12/14/93	Kauffman et al.	424	422	11/21/91

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SA	WO94/18967	09/01/94	PCT	X	X		
SB	WO94/18968	09/01/94	PCT				
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5/6	Henriksson et al., "Hormonal Regulation of Serum Lp (a) Levels", <i>J. Clin. Invest.</i> , 89 , 1166-1171 (April 1992)
	Hoff et al., "Modification of Low Density Lipoprotein with 4-Hydroxynonenal Induces Uptake by Macrophages", <i>Atherosclerosis</i> , 9 , 538-549 (July/August 1989)
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Examiner	Date Considered
5-1-98	11-05-98

*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 9 of 17

Form 1449* INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
	Applicant: L.L. Kunz et al.	
	Filing Date: April 15, 1995	Group: 1409-1621

U.S. PATENT DOCUMENTS

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SB	5,280,016	01/18/94	Conrad et al.	514	56	09/03/91
	5,283,257	02/01/94	Gregory et al.	514	458	02/10/92
	5,284,869	02/08/94	Bisaccia et al.	514	455	12/17/91
	5,288,711	02/22/94	Mitchell et al.	514	56	04/28/92
SB	5,296,492	03/22/94	Shiozawa et al.	514	337	06/03/92

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/19001	09/01/94	PCT				
	WO94/19003	09/01/94	PCT				
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STB	11-15-96

* Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 10 of 17

Form 1449*	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Atty. Docket No.: 295.007US1 Applicant: L.L. Kunz et al. Filing Date: April 15, 1995	Serial No: 08/389,712 Group: 4803 1621
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SB	5,304,325	04/19/94	Kaufman et al.	252	312	08/13/94
	5,308,622	05/03/94	Casscells et al.	424	422	07/18/92
	5,308,862	05/03/94	Ohlstein	514	411	05/05/92
	5,314,679	05/24/94	Lewis et al.	424	9	12/22/92
SB	5,316,766	05/31/94	Baldus et al.	424	94.63	02/06/90

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/20097	09/15/94	PCT				
	WO94/21679	09/29/94	PCT				
SB	WO94/22436	10/13/94	PCT				

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SB	Linn et al., "Microemulsion for Intradermal Delivery of Cetyl Alcohol and Octyl Dimethyl Pabs", <i>Drug Development and Industrial Pharmacy</i> , 16, 899-920 (1990)
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**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 11 of 17

Form 1449*	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT	Applicant: L.L. Kunz et al.	
BY APPLICANT	Filing Date: April 15, 1995	Group: 4802 1621
(Use several sheets if necessary)		

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**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SB	5,324,739	06/28/94	Gerwick et al.	514	365	10/07/93
	5,326,757	07/05/94	Demopoulos	514	167	08/18/93
	5,328,471	07/12/94	Slepian	604	101	08/04/93
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SB	5,342,926	08/30/94	Hattner	534	10	06/08/93

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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/23699	10/27/94	PCT				
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SB	WO94/23053	11/10/94	PCT				

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ST BT	11-15-96
*Substantive Disposition - Substantive Disposition - Substantive Disposition	

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Sheet 12 of 17

Form 1449*	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
INFORMATION DISCLOSURE STATEMENT	Applicant: L.L. Kunz et al.	
BY APPLICANT (Use several sheets if necessary)	Filing Date: April 15, 1995	Group: 4803-1621

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date (Appropriate)
SP	5,344,926	09/06/94	Murakata et al.	540	545	06/22/93
	5,346,702	09/13/94	Na et al.	424	490	12/07/92
	5,354,562	10/11/94	Platz et al.	424	489	02/16/93
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**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation
SP	WO94/26291	11/24/94	PCT			Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
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SP	O'Brien et al., "Osteopontin mRNA and Protein are Overexpressed in Human Coronary Atherectomy Specimens: Clues to Lesion Calcification", <i>Circulation</i> , 88, 1-619, Abstract No. 3330 (October 1993)
Examiner	Date Considered 11-15-96

*Substitute Disclosure Statement Form (P/10-1449)

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Form 1449* Sheet 13 of 17

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
	Applicant: L.L. Kunz et al.	
	Filing Date: April 15, 1995	Group: 1803-62

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date is Appropriate
SB	5,354,801	10/11/94	O'Toole et al.	542	461	08/12/93
	5,356,713	10/18/94	Charmot et al.	428	407	06/01/93
	5,358,844	10/25/94	Stossel et al.	435	2	02/18/93
SB	5,362,424	11/08/94	Lee et al.	264	43	10/10/91

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No
SB	WO94/26303	11/24/94	PCT				
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SB	Ohno et al., "Gene Therapy for Vascular Smooth Muscle Cell Proliferation After Arterial Injury", <i>Science</i> , 265, 781-784 (August 5, 1994)
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SB	Popma et al., "Factors Influencing Restenosis after Coronary Angioplasty", <i>Amer. J. Med.</i> , 88, 1-16N - 1-24N (January 1990)
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* Substitute Disclosure Statement Form (PTO-1449)

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Sheet 14 of 17

Form 1449*	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No.: 295.007US1	Serial No: 08/389,712
		Applicant: L.L. Kunz et al.	
		Filing Date: April 15, 1995	Group: +803-1621

U.S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate
SP	5,364,632	11/15/94	Benita et al.	424	450	03/09/93
	5,380,716	01/10/95	Conrad et al.	514	56	02/28/92
	5,385,935	01/31/95	Tamai et al.	514	535	09/07/93
SP	5,393,772	02/28/95	Yue et al.	514	410	11/24/93

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						Yes	No

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*Substitute Disclosure Statement Form (PTO-1449)

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Sheet 15 of 17

Form 1449*	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets, if necessary)		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
			Applicant: L.L. Kunz et al.	
			Filing Date: April 15, 1995	Group: 1803- (62)

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** Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate

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Form 1449*	INFORMATION DISCLOSURE STATEMENT		Atty. Docket No.: 295.007US1	Serial No: 08/389,712
BY APPLICANT			Applicant: L.L. Kunz et al.	
(Use several sheets if necessary)			Filing Date: April 15, 1995	Group: 1883 1621

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate

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SB	Wight et al., "The role of proteoglycans in cell adhesion, migration and proliferation", <i>Current Opinion in Cell Biol.</i> , 4, 793-801 (October 1992)
Examiner	Date Considered
ST	11-15-96

* Substitute Disclosure Statement Form (PTO-1449)

** EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 17 of 17

Form 1449* INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No.: 295,007US1	Serial No: 08/389,712
	Applicant: L.L. Kunz et al.	
	Filing Date: April 15, 1995	Group: 1805 1621

U.S. PATENT DOCUMENTS						
**Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS							
**Examiner Initial	Document Number	Date	Country	Class	SubClass	Translation	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
SB	Wilensky et al., "Direct intraarterial wall injection of microparticles via a catheter: a potential drug delivery strategy following angioplasty", <i>Am. Heart Jour.</i> 122, 1136-1140 (October 1991)
	Wolinsky et al., "Use of a Perforated Balloon Catheter to Deliver Concentrated Heparin into the Wall of the Normal Canine Artery", <i>JACC</i> , 15, 475-81 (February 1990)
SB	Wright et al., "Cytoclasin Inhibition of Slow Tension Increase in Rat Aortic Rings", <i>Am. J. Physiol.</i> , 267 H1437-H1446 (1994)
Examiner	Date Considered
SB	11-15-96

* Substitute Disclosure Statement Form (PTO-M49)

**EXAMINER: Initial if citation considered, with either or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXHIBIT B

16551 U.S. PTO

09/08/2003

05/21/98

Class	Subclass	ISSUE CLASSIFICATION
574	319	

PATENT NUMBER

6251920

6251920

U.S. UTILITY PATENT APPLICATION

SCANNED <u>LR</u> <u>CB</u> O.A. <u>DW</u>	PATENT DATE JUN 26 2001
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SECTOR	CLASS	SUBCLASS	ART UNIT	EXAMINER

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 (Attached in pocket on right inside flap)

CERTIFICATE

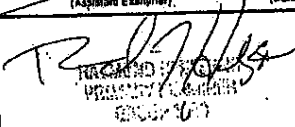
AUG 13 2002

OF CORRECTION

PREPARED AND APPROVED FOR ISSUE

ISSUING CLASSIFICATION								
ORIGINAL		CROSS REFERENCE(S)						
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					
574	319	574	324	422	428	444	448	651
INTERNATIONAL CLASSIFICATION								
A61K	31/445							
A61K	31/40							
A61K	31/38							
A61K	31/135							

☐ Continued on Issue Slip inside File Jacket

<input checked="" type="checkbox"/> TERMINAL DISCLAIMER	DRAWINGS			CLAIMS ALLOWED	
	Sheets Drwg.	Figs. Drwg.	Print Fig.	Total Claims	Print Claim for O.G.
	2	21	None	42	1
<input type="checkbox"/> a) The term of this patent subsequent to _____ (date) has been disclaimed.	(Aspiration Examiner) (Date)			NOTICE OF ALLOWANCE MAILED	
<input checked="" type="checkbox"/> b) The term of this patent shall not extend beyond the expiration date of U.S. Patent No. <u>5472985</u>	 (Patent Examiner) (Date)			10,13,00	
<u>\$722,609</u> <u>\$722,472</u>				ISSUE FEE <u>25</u>	
	(Patent Examiner) (Date)	Amount Due		Date Paid	
		\$1240.00		11/17/01	
<input type="checkbox"/> c) The terminal _____ months of this patent have been disclaimed.	(Patent Examiner) (Date)			ISSUE BATCH NUMBER	
				T68	

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Formal Drawings 4 sheets

ISSUE FEE IN FILE

(LABEL AREA)

Form 1449*

Sheet 1 of 27

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1614

U. S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
<u>4</u>	2,914,563	11/24/1959	Allen et al.	260	570	08/06/57
	3,010,965	11/28/1961	Elpern	260	293	02/05/57
	3,168,565	02/02/1965	Palopoli et al.	260	570.7	11/20/59
	3,288,806	11/29/1966	DeWald et al.	260	326.5	03/23/64
	3,634,517	01/11/1972	Palopoli et al.	260	590	08/19/68
	3,940,422	02/24/1976	Harita et al.	260	340	01/17/74
	4,070,484	01/24/1978	Harita et al.	424	319	12/21/76
	4,093,709	06/06/1978	Sok Choi et al.	424	19	01/28/75
	4,133,814	01/09/1979	Jones et al.	260	326	09/17/76
	4,230,862	10/28/1980	Suarez et al.	546	237	08/03/78
	4,235,988	11/25/1980	Fildes et al.	528	79	05/31/79
	4,239,778	12/16/1980	Venton et al.	424	305	09/12/78
	4,307,111	12/22/1981	Crawley	424	278	04/29/80
	4,323,707	04/06/1982	Suarez et al.	564	324	05/12/80
	4,389,330	06/21/1983	Tice et al.	427	213.36	09/06/80
	4,380,635	04/19/1983	Peters	546	324	05/12/80
	4,418,068	11/29/1983	Jones	424	267	12/16/81
	4,442,119	04/10/1984	Magarian et al.	424	274	07/26/82
	4,512,762	04/23/1985	Spears	604	21	11/23/82
	4,536,516	08/20/1985	Harper et al.	514	514	04/17/84
	4,675,189	06/23/1987	Kent et al.	424	490	02/08/85
	4,696,949	08/29/1987	Toivola et al.	514	648	05/25/83
	4,824,436	04/25/1989	Wolinsky	604	53	04/21/87
	4,826,672	05/02/1989	Milius et al.	424	1	06/07/85
	4,835,002	05/30/1989	Wolf et al.	426	590	07/10/87
	4,839,155	06/13/1989	Mccague	424	1	09/09/87
	4,859,585	08/22/1989	Sonnenschein et al.	435	29	04/17/86
	4,879,315	11/07/1989	Magarian et al.	514	754	09/21/87
	4,929,602	05/29/1990	Harker et al.	514	18	11/22/88
	4,962,091	10/09/1990	Eppstein et al.	514	2	05/23/96
	4,968,350	11/06/1990	Bindschaedler et al.	106	170	10/20/88
	4,973,755	11/27/1990	Grafe et al.	564	324	04/19/88
	4,990,538	02/05/1991	Harris et al.	514	648	08/23/89
	4,994,033	02/19/1991	Shockey et al.	604	101	05/25/89
	4,996,225	02/26/1991	Toivola et al.	514	428	05/25/83
	4,997,652	03/05/1991	Wong	424	428	12/22/91
	5,008,279	04/16/1991	Franckowiak et al.	514	345	10/27/88
	5,009,659	04/23/1991	Hamlin et al.	606	159	09/30/89
	5,015,666	05/14/1991	Magarian et al.	514	754	09/22/89
	5,026,537	06/25/1991	Daddona et al.	424	1.1	05/06/89
	5,032,679	07/16/1991	Brandley et al.	536	21	08/31/89

Examiner

Date Considered

*Substitute Disclosure Statement Form 1449 (7-70-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449*

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/08/943

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1600

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,043,335	08/27/1991	Kleinschroth et al.	514	211	06/23/90
	5,047,431	09/10/1991	Schickaneder et al.	514	648	05/14/90
	5,049,132	09/17/1991	Schaffer et al.	604	101	01/08/90
	5,053,033	10/01/1991	Clarke et al.	606	3	10/10/90
	5,059,166	11/22/1991	Fischell et al.	600	3	12/11/89
	5,066,789	11/19/1991	Srinivasan et al.	530	388	09/29/89
	5,075,321	12/24/1991	Schreiber	514	317	02/24/88
	5,098,903	03/24/1992	Magarian et al.	514	255	11/06/89
	5,102,402	04/07/1992	Dror et al.	604	265	01/04/91
	5,108,989	04/28/1992	Amento et al.	514	12	04/04/90
	5,112,305	05/12/1992	Barath et al.	704	96	10/16/90
	5,114,719	05/19/1992	Sabel et al.	424	422	09/14/89
	5,116,864	05/26/1992	March et al.	514	455	04/09/91
	5,120,535	06/09/1992	Marquardt et al.	424	85.5	05/04/87
	5,140,012	08/18/1992	McGovern et al.	514	19	05/31/90
	5,166,143	11/24/1992	Ondetti et al.	514	89	06/13/91
	5,171,217	12/15/1992	March et al.	604	53	02/28/91
	5,176,617	01/05/1993	Fischell et al.	600	3	11/21/91
	5,180,366	01/19/1993	Woods	604	96	10/10/90
	5,185,260	02/09/1993	Crissman et al.	435	244	08/29/91
	5,189,046	02/23/1993	Burch et al.	514	330	08/14/90
	5,189,212	02/23/1993	Ruenitz	562	468	09/07/90
	5,192,525	03/09/1993	Yang et al.	424	11	06/28/91
	5,199,939	04/06/1993	Dake et al.	600	3	02/23/90
	5,208,019	05/05/1993	Hanson et al.	424	85	09/27/89
	5,213,576	05/25/1993	Abiuso et al.	604	96	06/11/91
	5,213,580	05/25/1993	Slepian et al.	623	1	03/25/92
	5,216,126	06/01/1993	Cox et al.	530	350	06/19/91
	5,219,548	06/15/1993	Yang et al.	424	1	10/01/90
	5,221,620	06/22/1993	Purchio et al.	435	69	12/05/89
	5,226,430	07/13/1993	Spears et al.	128	898	05/24/91
	5,229,495	04/20/1993	Ichijo et al.	530	350	06/18/91
	5,232,444	08/03/1993	Just et al.	604	96	06/21/89
	5,238,714	08/24/1993	Wallace et al.	427	213	10/02/90
	5,238,950	08/24/1993	Clader et al.	514	360	12/17/91
	5,242,397	09/07/1993	Barath et al.	604	96	01/02/92
	5,248,764	09/28/1993	Flanagan et al.	530	324	02/27/92
	5,254,594	10/19/1993	Niikura et al.	514	648	04/08/92
	5,268,358	12/07/1993	Fretto et al.	514	12	05/06/91
	5,270,047	12/14/1993	Kauffman et al.	424	422	11/21/91
	5,280,016	01/18/1994	Conrad et al.	514	56	09/03/91

Examiner

Date Considered

*Substitute Disclosure Statement Form 1449 (Rev. 1/93)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 801; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

13



Form 1449*	Atty. Docket No.: 295.012US2	Serial No. 09/045543
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group:

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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	5,280,109	01/18/1994	Miyazono et al.	530	399	01/27/92
	5,282,785	02/01/1995	Shapland et al.	604	21	09/05/92
	5,283,257	02/01/1994	Gregory et al.	514	458	07/10/92
	5,284,763	02/08/1994	Derynk et al.	435	240	03/04/92
	5,284,869	02/08/1994	Bisaccia et al.	514	455	12/17/91
	5,288,711	02/22/1994	Mitchell et al.	514	36	04/28/92
	5,296,492	03/22/1994	Shiozawa et al.	514	337	06/03/92
	5,304,325	04/19/1994	Kaufman et al.	252	312	11/13/91
	5,304,541	04/19/1994	Purchio et al.	514	12	03/14/91
	5,308,622	05/03/1994	Casscells et al.	424	422	07/16/92
	5,308,862	05/03/1994	Ohlstein et al.	514	411	03/05/93
	5,314,679	05/24/1994	Lewis et al.	424	9	12/22/92
	5,316,766	05/31/1994	Baldus et al.	424	94	02/06/90
	5,324,736	06/28/1994	Magarin et al.	514	317	08/16/93
	5,326,757	07/05/1994	Demopoulos	514	167	08/18/93
	5,328,471	07/12/1994	Slepian	604	101	08/04/93
	5,332,584	07/26/1994	Scher et al.	424	408	12/09/91
	5,340,925	08/23/1994	Lioubin et al.	530	395	06/17/92
	5,346,702	09/13/1994	Na et al.	424	490	12/04/92
	5,346,993	09/13/1994	Miyazono et al.	530	399	07/15/93
	5,354,562	10/11/1994	Platz et al.	424	489	01/16/93
	5,354,774	10/11/1994	Deckelbaum et al.	514	455	12/24/92
	5,354,801	10/11/1994	O'Toole et al.	524	461	08/12/93
	5,356,713	10/18/1994	Charmot et al.	420	407	06/01/93
	5,362,424	11/08/1994	Lee et al.	264	4.3	10/10/91
	5,364,632	11/15/1994	Benita et al.	424	450	03/09/93
	5,380,716	01/10/1995	Conrad et al.	514	56	12/28/92
	5,384,332	01/24/1995	Fontana	514	648	05/11/94
	5,385,935	01/31/1995	Tamai et al.	514	535	09/07/93
	5,389,670	02/14/1995	Fontana	514	443	12/21/93
	5,391,557	02/21/1995	Cullinan et al.	514	324	10/15/93
	5,393,763	02/28/1995	Black et al.	514	333	01/12/94
	5,393,772	02/28/1995	Yue et al.	514	410	11/24/93
	5,393,785	02/28/1995	Labrie et al.	514	622	07/14/92
	5,395,842	03/07/1995	Labrie et al.	514	320	12/02/91
	5,401,730	03/28/1995	Sauvage et al.	514	165	07/06/90
	5,407,609	04/18/1995	Tice et al.	264	46	05/17/93
	5,418,252	05/23/1995	Williams	514	443	10/15/93
	5,423,885	06/13/1995	Williams	623	1	07/14/93
	5,424,331	06/13/1995	Shlyankevich	514	456	06/10/94
	5,426,123	06/20/1995	Fontana	514	651	05/11/94

Examiner	Date Considered
<i>[Signature]</i>	3/3/00

*Substitute Disclosure Statement Form (PSP-1449)
 **EXAMINER: Initial if citation considered, whether or not citation is in accordance with MPEP 609; Draw line through citation if not in accordance and not considered. Include copy of this form with next communication to applicant.

13

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Form 1449*

Atty. Docket No.: 295.012US2

Serial No. 09/082,649

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Sheet 4 of 27

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U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,429,634	07/04/1995	Narcisco Jr.	604	090.1	09/09/93
	5,434,166	07/18/1995	Glasebrook	514	317	08/22/94
	5,436,243	07/25/1995	Sachs et al.	514	231	11/17/93
	5,439,923	08/08/1995	Cullinan	514	324	12/21/93
	5,439,931	08/08/1995	Sales	514	443	12/21/93
	5,441,947	08/15/1995	Dodge et al.	514	179	08/25/93
	5,441,964	08/15/1995	Bryant et al.	514	324	10/15/93
	5,441,965	08/15/1995	Sall et al.	514	324	12/21/93
	5,441,966	08/15/1995	Dodge	514	324	12/21/93
	5,441,986	08/15/1995	Thompson	514	648	07/19/94
	5,444,164	08/22/1995	Purchio et al.	536	23.5	05/04/92
	5,445,941	08/29/1995	Yang	435	6	06/21/93
	5,446,053	08/29/1995	Keohane	514	324	12/21/93
	5,447,941	09/05/1995	Zuckerman	514	324	12/21/93
	5,453,442	09/26/1995	Bryant et al.	514	408	02/18/94
	5,455,275	10/03/1995	Fontana	514	648	05/11/94
	5,457,113	10/10/1995	Cullinan et al.	514	319	10/15/93
	5,457,116	10/10/1995	Black et al.	514	324	10/15/93
	5,457,117	10/10/1995	Black et al.	514	337	10/26/94
	5,458,568	09/17/1995	Racchini et al.	604	19	09/17/93
	5,462,937	10/31/1995	Cullinan et al.	514	212	04/14/95
	5,466,810	11/14/1995	Godfrey	546	202	06/10/94
	5,468,746	11/21/1995	Casagrande et al.	514	235.5	06/21/91
	5,470,883	11/28/1995	Stromberg	514	648	05/23/94
	5,472,985	12/05/1995	Grainger et al.	514	651	09/02/94
	5,478,847	12/26/1995	Draper	514	333	03/02/94
	5,480,888	01/02/1996	Kodama et al.	514	320	06/11/94
	5,480,904	01/02/1996	Bryant et al.	514	443	10/28/93
	5,482,949	01/09/1996	Black et al.	514	324	03/19/93
	5,482,950	01/09/1996	Bryant et al.	514	324	10/15/93
	5,484,795	01/16/1996	Bryant et al.	514	319	09/20/94
	5,484,796	01/16/1996	Bryant et al.	514	319	04/21/95
	5,484,798	01/16/1996	Bryant et al.	514	324	09/20/94
	5,484,808	01/16/1996	Grinnell	514	443	02/09/95
	5,489,587	02/06/1996	Fontana	514	233.5	02/06/96
	5,491,159	02/13/1996	Malamas	514	374	08/30/94
	5,491,173	02/13/1996	Toivola et al.	514	648	05/25/83
	5,492,921	02/20/1996	Bryant et al.	514	324	09/20/94
	5,492,922	02/20/1996	Paikowitz	514	324	02/28/95
	5,492,926	02/20/1996	Cullinan et al.	514	422	10/15/93
	5,492,927	02/20/1996	Gitter et al.	514	443	12/21/93

Examiner John J. Hise Date Considered 3/3/00

*Substitute Disclosure Statement Form (Rev. 1/95)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449*

Sheet 5 of 27

Patent & Trademark Office, Docket No.: 295.012US2

Serial No. 09782643

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

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U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
A	5,496,828	03/05/1996	Cullinan	514	324	08/22/93
	5,498,775	03/12/1996	Novak et al.	514	25	11/07/94
	5,508,292	04/16/1996	Sall et al.			
	5,510,370	04/23/1996	Hock et al.			
	5,516,781	05/14/1996	Morris et al.	514	291	05/12/94
	5,516,807	05/14/1996	Huie et al.	514	673	10/25/94
	5,519,042	05/21/1996	Morris et al.	514	378	01/13/94
	5,521,171	05/28/1996	Sorenson	514	188	03/24/95
	5,521,191	05/28/1996	Greenwald	514	262	10/17/94
	5,527,337	06/18/1996	Stack et al.	606	198	02/01/91
	5,541,174	07/30/1996	Sorenson	514	186	01/18/95
	5,545,409	08/13/1996	Laurensin et al.	424	426	02/22/89
	5,545,569	08/13/1996	Grainger et al.	436	518	05/25/95
	5,552,415	09/03/1996	May et al.	514	324	12/21/93
	5,571,714	11/05/1996	Dasch et al.	435	240.27	12/22/88
	5,574,047	11/12/1996	Bumol et al.	514	324	12/21/93
	5,597,578	01/28/1997	Brown et al.	424	422	09/11/89
	5,610,166	03/11/1997	Singh	514	324	03/23/95
	5,622,975	04/22/1997	Singh et al.	514	324	06/01/95
	5,639,274	06/17/1997	Fischell et al.	604	96	06/02/95
	5,681,835	09/28/1997	Willson	514	237.5	04/25/94
	5,686,467	11/11/1997	Bumol et al.	514	324	03/15/95
	Re. 32,944	06/06/1989	Harita et al.	562	455	06/01/77

FOREIGN PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No
A	0 577 215 A1	01/05/1994	European			
	0 584 952 A1	03/02/1994	European			
	0 635 270 A1	01/25/1995	European			
	0260066B1	03/16/1988	European			
	0365863 B1	05/02/1990	European	C07C	217/54	
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	0674903	10/04/1995	European	A61K	31/445	

Examiner *[Signature]* Date Considered *3/3/00*

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Sheet 6 of 27

Form 1449*

Applicant: David J. Grainger et al.

Serial No. 09/087,643

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

(Use several sheets if necessary)

Filing Date: May 21, 1998

Group: 1614

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes / No
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	1015787	01/05/1966	Great Britain			
	2273873	06/07/1994	Great Britain	A61K	31/48	
	4320896	01/05/1995	Germany	A61K	31/40	
	4320898	01/05/1995	Germany			
	4401554	08/18/1994	Germany	A61K	31/135	
	54168A1	06/23/1982	European	C07C	93/06	
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	88/10259	12/29/1988	PCT	C07D	313/00	
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Examiner

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Form 1449*

Sheet 7 of 27

Atty. Docket No.: 295.012US2

Serial No. 09/083,043

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
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**Examiner Initial	Document Number	Date	Country	Class	Subclass	Translating Yes No
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	94/20126	09/15/1994	PCT			
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Examiner 2287652 Date Considered 3/3/00

*Substitute Disclosure Statement Form (FD-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Form 1449*

Sheet 8 of 27

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1614

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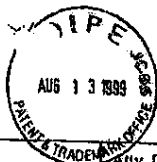
Examiner

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*Substitute Disclosure Statement form (170-1449)

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Form 1449*

Sheet 9 of 27

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1614

**Examiner
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(Including Author, Title, Date, Pertinent Pages, Etc.)

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*Substitute Disclosure Statement Page (FD-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 605; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 10 of 27

Form 1449*	App. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

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(Including Author, Title, Date, Pertinent Pages, Etc.)

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*Substitute Disclosure Statement Form 1449 (1/90)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form 1449* Sheet 11 of 27

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Docket No.: 295.012US2	Serial No. 09/082,643
Applicant: David J. Grainger et al.		
Filing Date: May 21, 1998		Group: 1614

**Examiner
Initial

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(Including Author, Title, Date, Pertinent Pages, Etc.)

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Date Considered

*Substitute Disclosure Statement Form 1449-1149

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449*

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1614

Sheet 12 of 27

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**Examiner
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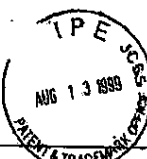
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Form 1449*	Ally. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

Sheet 13 of 27

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Examiner

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Form 1449*

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
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Applicant: David J. Grainger et al.

Serial No. 09/082,643

Filing Date: May 21, 1998

Group: 1614

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<i>[Signature]</i>	3/3/00

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Form 1449*	Sheet 17 of 27
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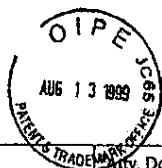
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Examiner

Date Considered

*Substitute Disclosure Statement Form (1998-1999)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449*

Sheet 23 of 27

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1614

*Examiner
Initials

OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

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Examiner

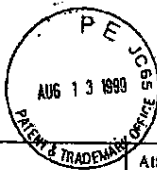
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**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 24 of 27

Form 1449*	Atty. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

OTHER DOCUMENTS

**Examiner
Initials

(Including Author, Title, Date, Pertinent Pages, Etc.)

- | | |
|---|--|
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Examiner

Date Considered

*Substitute Disclosure Statement Form (PFO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 25 of 27

Form 1449*	App. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

**Examiner
InitialOTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

<input checked="" type="checkbox"/>	Singh et al., "Phylogenetic Analysis of Platelet-derived Growth Factor by Radio-Receptor Assay", <u>J. Cell Biol.</u> , <u>95</u> , 667-671 (1982).
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<input type="checkbox"/>	Song, "Dexamethasone-nanoparticles for Intra-arterial Localization in Restenosis in Rats", <u>Proces. Intern. Symp. Control. Rel. Mater.</u> , <u>22</u> , 444-445 (1995).
<input type="checkbox"/>	Speir et al., "Potential Role of Human Cytomegalovirus and p53 Interaction in Coronary Restenosis", <u>Science</u> , <u>265</u> , 391-394 (1994).
<input type="checkbox"/>	Steele et al., "Balloon Angioplasty - Nature History of the Pathophysiological Response to Injury in a Pig Model", <u>Circ. Res.</u> , <u>57</u> , 105-112 (1985).
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<input type="checkbox"/>	Streuli et al., "Extracellular Matrix Regulates Expression of the TGF-Beta 1 Gene", <u>J. Cell Biol.</u> , <u>120</u> , 253-260 (1993).
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<input type="checkbox"/>	Tanaka et al., "Prominent Inhibitory Effects of Tranilast on Migration and Proliferation of and Collagen Synthesis by Vascular Smooth Muscle Cells", <u>Atherosclerosis</u> , <u>107</u> , 179-185 (1994).
<input type="checkbox"/>	Tice et al., "Biodegradable Controlled-release Parental Systems", <u>Pharmaceutical Technology</u> , 26-35 (1984).
<input checked="" type="checkbox"/>	Topol, "The Restenosis Antitheaty", <u>Mayo Clin. Proc.</u> , <u>68</u> , 88-90 (1993).

Examiner

Date Considered

*Substitute Disclosure Statement Form (P. 1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 603; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 26 of 27

Form 1449*

INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)

Atty. Docket No.: 295.012US2

Serial No. 09/082,643

Applicant: David J. Grainger et al.

Filing Date: May 21, 1998

Group: 1614

**Examiner
Initials

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

<u>P</u>	Vanhoutte, "Hypercholesterolaemia, Atherosclerosis and Release of Endothelium-Derived Relaxing Factor by Aggregating Platelets", <u>Eur. Heart J.</u> , <u>12</u> , Suppl. E, 25-32 (1991).
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Examiner

Date Considered

*Substitute Disclosure Statement Form (PFO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 608; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 27 of 27

Form 1449*	Any. Docket No.: 295.012US2	Serial No. 09/082,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: David J. Grainger et al.	
	Filing Date: May 21, 1998	Group: 1614

OTHER DOCUMENTS

**Examiner
Initial

(Including Author, Title, Date, Pertinent Pages, Etc.)

Wolinsky et al., "Use of a Perforated Balloon Catheter to Deliver Concentrated Heparin Into the Wall of the Normal Canine Artery", <u>JACC</u> , <u>15</u> , 475-481 (1990).
Wrana et al., "Mechanism of Actuation of the TGF- β Receptor", <u>Nature</u> , <u>370</u> , 341-347 (1994).
Yang et al., "Estrogen Receptor: One Transcription Factor, Two Genomic Pathways", <u>Calcified Tissue Intl.</u> , <u>54</u> , 342 (1994).
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**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXHIBIT C

No. 03-1418 -1422

United States Court of Appeals

FOR THE FEDERAL CIRCUIT

CORDIS CORPORATION,

Plaintiff-Appellant,

BOSTON SCIENTIFIC CORPORATION and SCIMED LIFE SYSTEMS, INC.
(now known as Boston Scientific Scimed, Inc.)

Defendants-Cross Appellants.

APPEALS FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE IN CASE NO. 98-CV-197
CHIEF JUDGE SOEL ROBINSON

BRIEF OF DEFENDANTS-CROSS APPELLANTS

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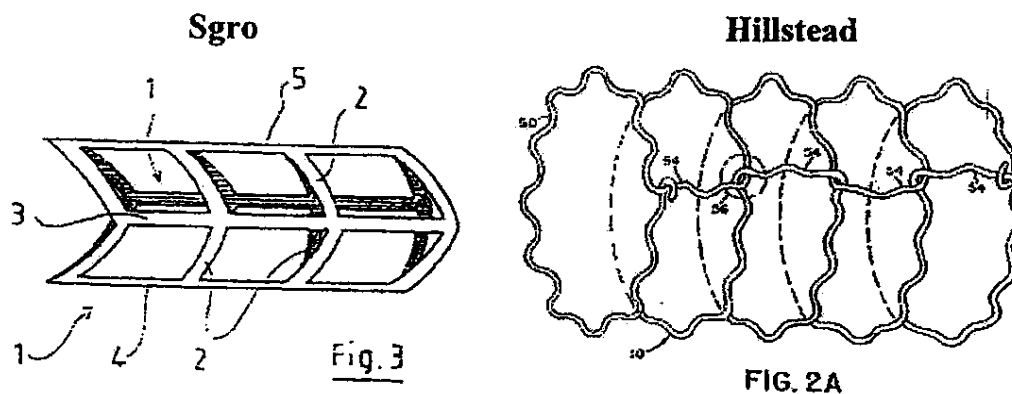
Attorneys for Defendants-Cross Appellants

Boston Scientific Corporation and

Boston Scientific Scimed, Inc.

November 8, 2005

The first was Sgro (A9109-19), which discloses the “rings” (2) and “longitudinals” (3) recited in European claim 1. The second was Hillstead (A11098-103), which, as the District Court found, has “undulating” longitudinals (54), and thus discloses the feature added by claim 8. A83-85, A94, A11101-2 (Cols. 2:1-25, 4:13-21), A9742. The EPO Examiner found this combination—namely, Hillstead’s “undulations” and Sgro’s “rings” and “longitudinals”—“particularly relevant” to European claim 8. A9742.



F. Robert Fischell’s Knowledge of the Hillstead Patent

Robert Fischell admittedly received the EPO search report and the cited references, including Hillstead. A4648/848:9-849:7. In fact, he received the search report referencing Hillstead *twice*—first in July 1995, and again in November 1995 after his European application published. A4648/848:9-849:2, A4729/964:4-965:6, A10398-99, A10583-99.

Fischell was also aware when he received the search report and the Hillstead patent that it was his duty (and not the duty of Rosenberg, who was prosecuting only the European application) to assess whether Hillstead was relevant to the U.S. claims. A4643/830:12-831:23, A4646/841:11-842:3. Moreover, he was “keenly interested” in stent designs at the time, and it was his general practice when he received a search report to “look at the pictures” of the cited references to “see if the pictures look[ed] like [his] invention.” A4646/842:4-843:22, 4647/845:10-846:20.

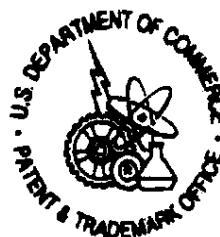
In fact, Fischell admitted at trial that he undoubtedly looked at the cited references (including Hillstead) when he received them. A4648/848:9-849:7 (“I looked at them all.”). Further testimony that he does not *remember* looking at Hillstead was thus immaterial. 4648/849:8-A4649/853:1.

Moreover, Fischell acknowledged that Hillstead’s front page plainly shows undulations, which means that when he looked at Hillstead, he would have seen that it has “undulations” and “looks something like [his] invention.” A4656/883:10-13, A4658/889:9-16, A4666/922:5-9. Others skilled in the art likewise testified that they regard Hillstead as disclosing “undulating longitudinals” that would enhance the longitudinal flexibility of the stent. A3724/1629:14-A3725/1630:25, A4020/2335:15-2338:7.

EXHIBIT D

Manual of PATENT EXAMINING PROCEDURE

Original Sixth Edition, January 1995
Latest Revision July 1997



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Additions to the text of the Manual are indicated by arrows (><) inserted in the text. Deletions are indicated by a single asterisk (*) where a single word was deleted and by two asterisks (**) where more than one word was deleted. The use of three or five asterisks in the body of the laws and rules indicates a portion of the law or rule which was not reproduced.

First Edition, November 1949

Second Edition, November 1953

Third Edition, November 1961

Fourth Edition, June 1979

Fifth Edition, August 1983

Sixth Edition, January 1995

Revision 1, September 1995

Revision 2, July 1996

Revision 3, July 1997

¶ 6.49.09 Information Disclosure Statement Not Considered, No Explanation of Relevance

The information disclosure statement filed [1] fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered. <

(ii) If an information disclosure statement complies with the requirements based on the time of filing the statement as discussed in B above, including the requirements for fees/or certification, but part of the content requirements as discussed in A above has been inadvertently omitted, the examiner may set a one-month time period to correct the omission. Form paragraph 6.51 may be used for this purpose.

¶ 6.51 Time Limit for Completing Information Disclosure Statement

The information disclosure statement filed on [1] does not comply with the requirements of 37 CFR 1.98 because [2]. Since the submission appears to be *bona fide*, but through an apparent oversight or inadvertence failed to comply with the necessary requirements, applicant is required to complete the statement within a **TIME LIMIT OF ONE MONTH** from the date of this letter. **NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b).** Failure to comply with this notice will result in the information disclosure statement being placed in the application file with the non-complying information not being considered.

Examiner Note:

This practice does not apply where there has been a deliberate omission of some necessary part of an information disclosure statement or where the requirements based on the time of filing the statement as set forth in 37 CFR 1.97 have not been complied with.

If a statement fails to comply with requirements as discussed in this section for an item of information, that item of information in the statement will not be considered and a line should be drawn through the citation to show that it has not been considered. However, other items of information that do comply with all the requirements will be considered by the examiner.

If information is listed in the specification rather than in a separate paper, or if the other content requirements as discussed in A above are not complied with, the examiner will notify applicant in the next Office action that the information has not been considered. It should be noted, however, that no copy of a U.S. patent application is required to be submitted. See A(2)(iii) above. Where a U.S. patent application is properly cited on a

separate list, the examiner should obtain access to that file within the Office.

C(2) Complying Statements

The information contained in information disclosure statements which comply with both the content requirements as discussed in A above and the requirements based on the time of filing the statement as discussed in B above will be considered by the examiner.

Applicants, patent owners, reexamination requesters, protestors, and others are encouraged to use form PTO-1449, "Information Disclosure Citation," when preparing an information disclosure statement. A copy of this form is reproduced in this section to indicate how the form should be completed. This form will enable persons to comply with the requirement to list each item of information being submitted and to provide the Office with a uniform listing of citations and with a ready way to indicate that information has been considered. Examiners must consider all citations submitted in conformance with the rules and this section and their initials when placed adjacent to the considered citations on the list or in the boxes provided on a form PTO-1449 provides a clear record of which citations have been considered by the Office. The examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 form. If the citations are submitted on a list other than on a form PTO-1449, the examiner may write "all considered" and his or her initials to indicate that all citations have been considered. If any of the citations are considered, a copy of the submitted list or form PTO-1449, as reviewed by the examiner, will be returned to the applicant with the next communication. Those citations not considered by the examiner will have a line drawn through the citation and any citations considered will have the examiner's initials adjacent thereto. The original copy of the list or form PTO-1449 will be entered into the application file. The copy returned to applicant will serve both as acknowledgement of receipt of the information disclosure statement and as an indication as to which references were considered by the examiner. Forms PTO-326 and PTOL-37 include a box to indicate the attachment of form PTO-1449.

Information which complies with requirements as discussed in this section but which is in a non-English language will be considered in view of the concise explanation submitted (A(3) above) and insofar as it is

PARTS, FORM, AND CONTENT OF APPLICATION

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understood on its face; e.g., drawings, chemical formulas, in the same manner that non-English language information in Office search files is considered by examiners in conducting searches. The examiner need not have the information translated unless it appears to be necessary to do so. The examiner will indicate that the non-English language information has been considered in the same manner as consideration is indicated for information submitted in English. The examiner should not require that a translation be filed by applicant. The examiner should not make any comment such as that the non-English language information has only been considered to the extent understood, since this fact is inherent.

Since information is required to be submitted in a separate paper listing the citations rather than in the specification, there is no need to mark "All checked" or "Checked" in the margin of a specification containing citations.

If a statement fails to comply with requirements as discussed in this section for an item of information, a line should be drawn through the citation to show that it has not been considered. The other items of information listed that do comply with the rules and this section will be considered by the examiner and will be appropriately initialed.

C(3) Documents Submitted As Part of Applicant's Response to Office Action

Occasionally, documents are submitted and relied on by an applicant when responding to an Office action. These documents may be relied on by an applicant, for example, to show that an element recited in the claim is operative or that a term used in the claim has a recognized meaning in the art. Documents may be in any form but are typically in the form of an affidavit, declaration, patent, or printed publication.

To the extent that a document is submitted as evidence directed to an issue of patentability raised in an Office action, and the evidence is timely presented, applicant need not satisfy the requirements of 37 CFR 1.97 and 1.98 in order to have the examiner consider the information contained in the document relied on by applicant. In other words, compliance with the information disclosure rules is not a threshold requirement to have information considered when submitted by applicant to

support an argument being made in a response to an Office action.

At the same time, the document supplied and relied on by applicant as evidence need not be processed as an item of information that was cited in an information disclosure statement. The record should reflect whether the evidence was considered, but listing on a form (e.g., PTO-892 or PTO-1449) and appropriate marking of the form by the examiner is not required.

For example, if applicant submits and relies on three patents as evidence in response to the first Office action and also lists those patents on a PTO-1449 along with two journal articles, but does not file a certification or \$200 fee, it would be appropriate for the examiner to indicate that the teachings relied on by applicant in the three patents have been considered, but to line through the citation of all five documents on the PTO-1449 and to inform applicant that the information disclosure statement did not comply with 37 CFR 1.97(c).

D. INFORMATION PRINTED ON PATENT

A citation listed on form PTO-1449 and considered by the examiner in accordance with this section will be printed on the patent. A citation listed in a separate paper, equivalent to but not on form PTO-1449, and considered by the examiner in accordance with this section will be printed on the patent if the list is on a separate sheet which is clearly identified as an information disclosure statement and the list lends itself to easy capture of the necessary information by the Office printing contractor; i.e., each item of information is listed on a single line, the lines are at least double-spaced from each other, the information is uniform in format for each listed item, and the list includes a column for the examiner's initials to indicate that the information was considered. If a U.S. patent application serial number is listed on a PTO-1449 form or its equivalent and the examiner considers the information and initials the form, the serial number will be printed on the patent.

Applicants may wish to list U.S. patent application serial numbers on other than a form PTO-1449 format to avoid the serial numbers of pending applications being published on the patent. If a citation is not printed on the patent but has been considered by the examiner in accordance with this section, the patented ~~file~~ will reflect that fact as noted in C(2) above.